

Federal Energy Regulatory Commission

§ 153.11

with particularity the ownership of such facilities at or on each side of the border between the United States and the foreign country.

(b) Any exhibit required by this section already on file with the Commission may be incorporated by reference.

§ 153.5 Other information.

The applicant shall furnish such additional information as the Commission may deem pertinent.

§ 153.6 Transferability.

(a) Authorizations to export natural gas from the United States to a foreign country or to import natural gas from a foreign country granted by order of the Commission under §§ 153.1 to 153.5 inclusive pursuant to section 3 of the Natural Gas Act shall not be transferable or assignable. The Commission order granting the authorization may, however, provide that the authorization shall continue in effect temporarily for a reasonable time in the event of the involuntary transfer of facilities used thereunder by operation of law (including such transfers to receivers, trustees, or purchasers under foreclosure or judicial sale) pending the making of an application for permanent authorization and decision thereon, provided notice is promptly given in writing to the Commission accompanied by a statement that the physical facts relating to sufficiency of supply, rates, and nature of use remain substantially the same as before the transfer and as stated in the initial application for such authorization.

(b) The Commission may also, at any time subsequent to the original order of authorization, from time to time, after opportunity for hearing, make such supplemental orders in the premises as it may find necessary or appropriate.

§ 153.7 Authorization not exclusive.

No authorization granted pursuant to section 3 of the Natural Gas Act shall be deemed to prevent authorization being granted to any other person to export natural gas from the United States to a foreign country or to import natural gas from a foreign country for the same use, or to prevent any

other person from making application for such authorization.

§ 153.8 Filing of contracts, rate schedules, etc.

Persons authorized to export natural gas from the United States to a foreign country or to import natural gas from a foreign country must file two full and complete copies of every contract and the amendments thereto, presently or hereafter effective, for such export or import, together with all rate schedules, agreements, leases or other writings, tariffs, classifications, rules and regulations relative to such export or import in the manner specified in part 154 of this chapter, except that the requirements of § 154.101 through § 154.111 and § 154.301 through 154.403 shall not be applicable.

[61 FR 13420, Mar. 27, 1996]

APPLICATION FOR CONSTRUCTION, OPERATION, MAINTENANCE, OR CONNECTION AT INTERNATIONAL BOUNDARY, OF FACILITIES FOR EXPORTATION OR IMPORTATION OF NATURAL GAS

§ 153.10 Who shall apply.

Any person, firm, or corporation contemplating the construction of, or who is operating or maintaining facilities at the borders of the United States, for the exportation or the importation of natural gas to or from a foreign country, shall file with the Commission an application for a Presidential Permit, in compliance with Executive Order 8202, dated July 13, 1939. In connection with applications hereunder, attention is directed to the provisions of §§ 153.1 to 153.5, inclusive, relative to applications for authorization to export or import natural gas to or from a foreign country under section 3 of the Natural Gas Act.

EDITORIAL NOTE: Executive Order 8202 was revoked and superseded by E.O. 10485, Sept. 3, 1953, 18 FR 5397; 3 CFR, 1949—1953 Comp., p. 970.

§ 153.11 Contents of application; number of copies; filing fee.

An original and 9 conformed copies of an application under this section shall be furnished to the Commission. The

Commission reserves the right to request additional copies. Every application shall be accompanied by the fee prescribed in part 159 of this subchapter and shall set forth in the order indicated, the following:

- (a) Information regarding applicant:
 - (1) The exact legal name of applicant;
 - (2) The name, title, and post office address of the person to whom correspondence in regard to the application shall be addressed;
 - (3) If applicant is a corporation: Copy of articles of incorporation and bylaws; the amount and classes of capital stock; nationality of officers, directors, and stockholders, and the amount and class of stock held by each;
 - (4) Is applicant company, or its transmission lines, owned wholly or in part by any foreign government or directly, or indirectly subventioned by any foreign government; or, has applicant company any understanding for such ownership or by subvention from any foreign government; if so give full details;
- (b) A general or key map on a scale not greater than 20 miles to the inch, showing the physical location and giving a full description of the facilities employed, or to be employed in the exportation or importation of natural gas at the international boundary. The map should indicate with particularity the ownership of such facilities at or on each side of the border between the United States and the foreign country.
- (c) Statement describing every existing contract that applicant has with a foreign government, or private concerns, which in any way relate to the control or fixing of rates for the purchase, sale or transportation of natural gas and which may serve in any way to restrict or prevent competing American companies from extending their activities; also, attach certified copies of such contracts;
- (d) Copies of every landing license, or permit, which has been granted applicant, or any predecessor, by a foreign government or by any of its agencies, in connection with the exportation or importation of natural gas.

[Order 141, 12 FR 8596, Dec. 19, 1947, as amended by Order 317, 31 FR 432, Jan. 13, 1966; Order 225, 47 FR 19057, May 3, 1982]

§ 153.12 Other information.

The applicant shall furnish such additional information, in connection with the application, as the Commission may deem pertinent.

PART 154—RATE SCHEDULES AND TARIFFS

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